

CITY OF CANTON, TEXAS

ANNEXATION ORDINANCE NO. 2002-03

AN ORDINANCE ANNEXING THE HEREINAFTER DESCRIBED TERRITORY TO THE CITY OF CANTON, VAN ZANDT COUNTY, TEXAS AND EXTENDING THE BOUNDARIES OF SAID CITY SO AS TO INCLUDE SAID HEREINAFTER DESCRIBED PROPERTY WITHIN THE CITY LIMITS AND GRANTING TO SAID TERRITORY AND TO ALL FUTURE INHABITANTS OF SAID PROPERTY ALL OF THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID FUTURE INHABITANTS BY ALL OF THE ACTS AND ORDINANCES OF THE SAID CITY.

WHEREAS, a petition has been duly signed and acknowledged by each and every person or corporation having an interest in the territory proposed to be annexed;

WHEREAS, said petition was presented to the governing body and approved such petition not less than five (5) days and not more than thirty (30) days;

WHEREAS, the tract of land is contiguous to the City and is not more than one-half (1/2) miles in width, and on which fewer than three (3) qualified voters reside;

WHEREAS, the City has prepared a service plan for said tract which is attached as Exhibit "A" to this ordinance;

WHEREAS, the City has published notice of hearings on said annexation and held hearings as required by state law; and

WHEREAS, after hearing such petition and the arguments for and against the same, the governing body as voted to grant such petition and to annex said territory into the city.

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF CANTON, TEXAS:

Section 1: That all of the territory more particularly described in "Exhibit A" is hereby annexed into the City, and the boundary limits of the City of Canton are hereby extended to include said territory within the city limits of the City, and said land and the future inhabitants thereof shall hereafter be entitled to all rights and privileges of other citizens of the City and shall be bound by the acts and ordinances of said City.

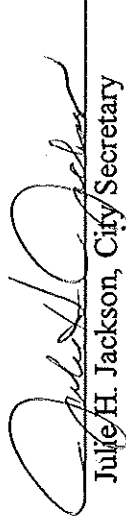
Section 2: That the municipal service plan for the herein annexed territory provided for in "Exhibit B" attached hereto is hereby adopted.

Section 3: That the City Secretary is hereby directed to file with the County Clerk and other appropriate officials and agencies, as required by state and federal law and city annexation procedures, certified copies of this ordinance.

PASSED by an affirmative vote of the Governing Body of the City of Canton, Texas, this the 9th day of April, 2002.


WILLIAM F. HILLIARD, MAYOR
The City of Canton, Texas

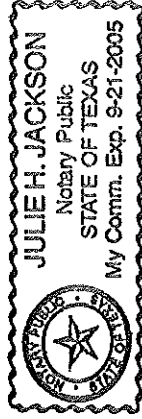
ATTEST:


Julie H. Jackson, City Secretary

THE STATE OF TEXAS }
COUNTY OF VAN ZANDT }

BEFORE ME, the undersigned authority on this day personally appeared WILLIAM F. HILLIARD, MAYOR OF THE CITY OF CANTON, TEXAS, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 9TH day of April, 2002.




Notary Public, State of Texas

FIELD NOTES

All that certain lot, tract, or parcel of land situated in the JESSE STOCKWELL SURVEY A-760, Van Zandt County, Texas, same being all of a called 0.2296 acre tract as found in Warranty Deed dated September 4, 1992 from Henry and Martha Lewis to City of Canton as found recorded in Vol. 1262, page 536 of the Real Records of Van Zandt County, Texas, and all of State Highway 243 which lies South of a called 30.00 acre tract now owned by Canton Independent School District (Vol. 1506, page 821 Real Records, Van Zandt County, Texas), and all of State Highway 243 which lies South of a called 9.33 acre tract now owned by Canton Independent School District (Vol. 1106, page 198 Real Records, Van Zandt County, Texas), and all of State Highway 243 which lies South of a called 50 acre tract now owned by Canton Independent School District (Vol. 654, page 423 Real Records, Van Zandt County, Texas), and being more fully described as follows:

BEGINNING at a 1/2" Iron Rod set on the North right-of-way line of State Highway 243 for the Southeast corner of said 50 acre tract, same being the Northeast corner of this;

THENCE: South 06 deg. 26 min. 25 sec. West 120.00 feet crossing State Highway 243 to a 1/2" Iron Rod set on the South right-of-way line of State Highway 243 for the most Easterly Southeast corner of this;

THENCE: North 83 deg. 33 min. 35 sec. West 1025.88 feet with the South right-of-way line of State Highway 243 to a point for the Northeast corner of said 0.2296 acre tract, from which a Chain Link Fence Corner Post bears for reference South 64 deg. 59 min. 16 sec. West 0.61 feet;

THENCE: South 06 deg. 26 min. 25 sec. West 100.00 feet with the East line of said 0.2296 acre tract to a point for the Southeast corner of same, from which a Chain Link Fence Corner Post bears for reference North 53 deg. 12 min. 59 sec. West 0.69 feet;

THENCE: North 83 deg. 33 min. 35 sec. West 100.00 feet with the South line of said 0.2296 acre tract to a point for the Southwest corner of same, from which a Chain Link Fence Corner Post bears for reference North 52 deg. 33 min. 16 sec. East 0.66 feet;

THENCE: North 06 deg. 26 min. 25 sec. East 100.00 feet with the West line of said 0.2296 acre tract to a point on the South right-of-way line of State Highway 243 for the Northwest corner of said 0.2296 acre tract, from which a Chain Link Fence Corner Post bears for reference South 55 deg. 47 min. 56 sec. East 0.58 feet;

THENCE: North 83 deg. 33 min. 35 sec. West 831.93 feet with the South right-of-way line of State Highway 243 to a 1/2" Iron Rod set for the most Westerly Southwest corner of this;

THENCE: North 06 deg. 26 min. 25 sec. East 120.00 feet crossing State Highway 243 to a 1/2" Iron Rod found on the North right-of-way line of State Highway 243 for the Southwest corner of said 30.00 acre tract;

THENCE: South 83 deg. 34 min. 59 sec. East 723.89 feet with the recognized North right-of-way line of State Highway 243 to a 3/8" Iron Rod found for the Southeast corner of said 30.00 acre tract;

THENCE: South 83 deg. 32 min. 46 sec. East 1233.92 feet with the recognized North right-of-way line of State Highway 243 to the place of beginning containing 5.63 acres of land.

REFERENCE IS MADE TO THE PLAT OF SURVEY, MADE UNDER MY SEAL OF EVEN DATE, SHOWING ADJOINER REFERENCES.

I, TONY COURTNEY, do hereby certify that the above field notes are true and correct, and were prepared from an actual on the ground survey and deed description.



TONY COURTNEY
Registered Professional Land Surveyor #1911
July 26, 2001

FN-131-01.01

EXHIBIT "B"

**CITY OF CANTON, TEXAS
ANNEXATION SERVICE PLAN**

AREA ANNEXED

See "Exhibit A" attached hereto and made a part hereof for all purposes.

INTRODUCTION

This service plan has been prepared in accordance with V.T.C.A., Local Government Code, Section 43.056. Municipal facilities and services to the annexed area described above will be provided or made available on behalf of the city at the following levels and in accordance with the following schedule:

POLICE PROTECTION

Patrolling, responses to calls, and other police services will be provided within sixty (60) days after the effective date of the annexation at the same level as provided throughout the city.

FIRE PROTECTION AND FIRE PREVENTION

Fire protection and fire prevention services will be provided within sixty (60) days after the effective date of the annexation at the same level as provided throughout the city.

EMERGENCY MEDICAL SERVICES

Emergency medical services will be provided within sixty (60) days after the effective date of the annexation on the same basis and at the same level as provided throughout the city.

SOLID WASTE COLLECTION AND DISPOSAL

Solid waste collection and disposal services will be provided with sixty (60) days after the effective date of the annexation on the same basis and at the same level as provided throughout the City.

MAINTENANCE OF WATER AND WASTEWATER FACILITIES THAT ARE NOT WITHIN THE SERVICE AREA OF ANOTHER WATER OR WASTEWATER UTILITY

Maintenance of water and wastewater facilities that are not within the service area of another water or wastewater utility will be provided within sixty (60) days after the effective date of the annexation on the same basis and at the same level as provided throughout the City.

MAINTENANCE OF ROADS AND STREETS AND DRAINAGE

Maintenance of roads and streets and drainage will be provided within sixty (60) days after the effective date of the annexation on the same basis and at the same level as provided throughout the City.

STREET LIGHTING

Street lighting will be made available within sixty (60) days after the effective date of the annexation on the same basis and at the same level as provided throughout the City.

MAINTENANCE OF CITY PARK AND RECREATION FACILITIES

If any city park and recreation facilities are located within the annexed area, they will be maintained within sixty (60) days after the effective date of the annexation on the same basis and at the same level as similar facilities are maintained throughout the City.

OTHER SERVICES

Other services that may be provided by the city such as planning, code enforcement, animal control, library, park and recreation, court, and general administration will be made available within sixty (60) days after the effective date of the annexation on the same basis and at the same level as provided throughout the City.

CAPITAL IMPROVEMENTS

Construction of water, sewer, street, and drainage facilities will begin within two (2) years after submission of written request by landowners and payment of any development fees and construction costs required by the city in accordance with subdivision regulations and water and sewer extension policies. Construction will be completed within four and one-half (4-1/2) years after request unless the construction process is interrupted by circumstances beyond the control of the city. No impact fees will be charged to any developer or landowner within the annexed area except in conformity with V.T.C.A., Local Government Code, Ch. 395. Construction of other capital improvements shall be considered by the City in the future as the needs dictate on the same basis as such capital improvements are considered throughout the City.

UNIFORM LEVEL OF SERVICES MAY NOT BE REQUIRED

Nothing in this plan shall require the City to provide a uniform level of full municipal services to each area of the city, including the annexed area, if different characteristics of topography, land use, and population density are considered a sufficient basis for providing different levels of service.

TERM

This service plan shall be valid for a term of ten (10) years.

AMENDMENTS

The plan shall not be amended unless public hearings are held in accordance with V.T.C.A., Local Government Code, Section 43.052.

